

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHAIN STONER,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 3:16-CV-05373-DWC

ORDER ON STIPULATED MOTION
FOR EQUAL ACCESS TO JUSTICE
ACT FEES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 7. This matter is before the Court on Plaintiff's "Stipulated Motion for Attorney Fees Pursuant to 28 U.S.C. §2412(d)." Dkt. 22.

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of the parties (Dkt. 22), attorney time itemization (Dkt. 24-2), and the relevant record, the Court orders EAJA attorney's fees of \$4,027.01 ("EAJA Award"), be awarded to Plaintiff. *Astrue v. Ratliff*, 560 U.S. 586, 591–97 (2010).

1 The Acting Commissioner shall contact the Department of Treasury after this Order is
2 entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the
3 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the
4 government will honor Plaintiff's assignment of EAJA Award and pay the EAJA Award directly
5 to Christopher Dellert, Plaintiff's counsel. If there is an offset, any remainder shall be made
6 payable to Plaintiff, based on the Department of the Treasury's Offset Program and standard
7 practices, and the check shall be mailed to Plaintiff's counsel, Christopher Dellert at Dellert
8 Baird Law Offices, PLLC, P.O. Box 97301, Lakewood, WA 98497.

9 Dated this 15th day of March, 2017.

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12 David W. Christel
13 United States Magistrate Judge
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